

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

DAVID C. JULIEN

PLAINTIFF

v.

Civil No. 06-5157

DEPUTY WASHBOURN;
et al.

DEFENDANTS

O R D E R

Now on this 13th day of December, 2006, comes on for consideration the **Magistrate Judge's Report and Recommendation** (document #12, filed November 13, 2006), in this matter, to which no objections have been filed, and the Court, having carefully reviewed said Report and Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report and Recommendation is adopted in toto**.

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge's Report and Recommendation, the following claims are hereby **dismissed**: all claims against Deputy Strokes, Jeremy Reynolds, Robin Toland, Ramone Osborne, M. Kinlaw, Bobby Richards, John Doe Deputy, Antonio Lathon, John Doe Witness one-three, Deputy Whitehouse, Deputy Hatcher and Whitney C. Shepphard; (2) all claims against Cpl. M. Freeman, Sgt. Cambron, Deputy Barker, Deputy J. Conner, Deputy Farber, Deputy Renna, Deputy D. Eaton, Deputy Bean and Cpl. Wilson; (3) the denial of access to legal

material and/or denial of access to the court's claim; (4) the claim based on verbal abuse, harassment, and taunting by deputies; and (5) the claim based on alleged inadequacies in the grievance procedure.

The following claims are left for later resolution: (1) plaintiff's claim that Deputies Washbourn, Kern and Cuzcik used excessive physical force against him; and (2) the claim that Nurse Johnson denied plaintiff adequate medical care.

IT IS SO ORDERED.

/s/Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE